

Article - Health - General

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§5–613.

(a) A health care provider that intends not to comply with an instruction of a health care agent or a surrogate shall:

(1) Inform the person giving the instruction that:

(i) The health care provider declines to carry out the instruction;

(ii) The person may request a transfer to another health care provider; and

(iii) The health care provider will make every reasonable effort to transfer the patient to another health care provider;

(2) Assist in the transfer; and

(3) Pending the transfer, comply with an instruction of a competent individual, or of a health care agent or surrogate for an individual who is incapable of making an informed decision, if a failure to comply with the instruction would likely result in the death of the individual.

(b) Nothing in this section authorizes a health care provider to provide health care to:

(1) A competent individual over the objection of that individual; or

(2) An individual incapable of making an informed decision over the objection of another person authorized by law to consent to the provision of health care for the individual.

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